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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,933	10/31/2000	Craig Mahaney	Sprint-IDF-1499(4000-0250	9940

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EXAMINER	
TAYLOR, BARRY W	

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/702,933	MAHANEY, CRAIG	
	Examiner	Art Unit	
	Barry W Taylor	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridger et al. (6,272,209 hereinafter Bridger) in view of Garland (5,394,461).

Regarding claims 10, 14, 18 and 22. Bridger teaches an apparatus for determining the operational status of an integrated services hub supporting a plurality of telephone lines (Title, abstract), comprising:

a plurality of subscriber line interface circuits (SLIC), the number of SLICs equaling the number of telephone lines ... (col. 1 lines 5-67, columns 2-10, see subscriber line interface circuits in figures 3-5);

at least one subscriber line access circuit connected to the SLICs to detect an off-hook condition in the telephone line (col. 2 lines 40-67, col. 3 lines 1-3, col. 3 lines 60-62, col. 5 lines 41-43, col. 7 lines 1-10);

a power monitor for monitoring the status of AC power to the integrated services hub (see "LIFELINE" in the Title, abstract, col. 3 lines 60-63, col. 5 lines 41-43, col. 6 lines 4-67, col. 7 lines 26-28, lines 39-41, col. 8 lines 4-6, lines 26-31);

a telephony controller, the telephony controller receiving notification form the power monitor regarding the AC power status (see "LIFELINE" in the Title, abstract, col.

3 lines 60-63, col. 5 lines 41-43, col. 6 lines 4-67, col. 7 lines 26-28, lines 39-41, col. 8 lines 4-6, lines 26-31), the telephony controller receiving notification from the SLAC on an off-hook condition (col. 3 lines 60-63, col. 5 lines 41-45, col. 6 lines 29-31, columns 7-10).

Bridger does not explicitly show signaling to the user that the AC power has failed.

Garland teaches switch alert of CPE or voice equipment for meter reading, load shed applications, and other services form Enhanced Service Providers (ESPs) to CPE (abstract, columns 1-2). Garland allows service providers to notify CPE that service is interrupted until further notice (col. 14 lines 52-54, col. 15 lines 27-29). Garland allows service providers the ability to control consumer electric loads as a means of forestalling brownout and blackout situations by notifying user that power has been temporarily shut off (col. 16 lines 19-23, lines 65-68). Garland even indicates to customer that battery is low (columns 17-18). Garland discloses the signal to user may be voice or data (column 21).

Therefore, it would have been obvious to any one of ordinary skill in the art at the time the invention was made to modify the invention of Bridger to alert CPE as taught by Garland for the benefit of notifying customers that power has been temporarily shut off.

Regarding claims 11-12, 19-20 and 23-24. Bridger does not explicitly show wherein the warning signal is audible.

Garland teaches switch alert of CPE or voice equipment for meter reading, load shed applications, and other services form Enhanced Service Providers (ESPs) to CPE (abstract, columns 1-2). Garland allows service providers to notify CPE that service is interrupted until further notice (col. 14 lines 52-54, col. 15 lines 27-29). Garland allows service providers the ability to control consumer electric loads as a means of forestalling brownout and blackout situations by notifying user that power has been temporarily shut off (col. 16 lines 19-23, lines 65-68). Garland even indicates to customer that battery is low (columns 17-18). Garland discloses the signal to user may be voice or data (column 21).

Therefore, it would have been obvious to any one of ordinary skill in the art at the time the invention was made to modify the invention of Bridger to alert CPE as taught by Garland for the benefit of notifying customers that power has been temporarily shut off.

Regarding claims 13, 21 and 25. Bridger teaches wherein the telephony controller and the power monitor are software components (see first line of abstract, columns 1-10). Garland also teaches an automated system that alerts CPE (col. 14 lines 52-54, col. 15 lines 27-29, col. 16 lines 19-23, lines 65-68).

Regarding claims 15-16. Bridger does not explicitly show wherein the warning signal is audible.

Garland teaches switch alert of CPE or voice equipment for meter reading, load shed applications, and other services form Enhanced Service Providers (ESPs) to CPE (abstract, columns 1-2). Garland allows service providers to notify CPE that service is

interrupted until further notice (col. 14 lines 52-54, col. 15 lines 27-29). Garland allows service providers the ability to control consumer electric loads as a means of forestalling brownout and blackout situations by notifying user that power has been temporarily shut off (col. 16 lines 19-23, lines 65-68). Garland even indicates to customer that battery is low (columns 17-18). Garland discloses the signal to user may be voice or data (column 21).

Therefore, it would have been obvious to any one of ordinary skill in the art at the time the invention was made to modify the invention of Bridger to alert CPE as taught by Garland for the benefit of notifying customers that power has been temporarily shut off.

Regarding claim 17. Bridger teaches wherein the telephony controller and the power monitor are software components (see first line of abstract, columns 1-10). Garland also teaches an automated system that alerts CPE (col. 14 lines 52-54, col. 15 lines 27-29, col. 16 lines 19-23, lines 65-68).

Method claims 1-4 are rejected for the same reasons as apparatus claims 10-13 since the recited apparatus would perform the claimed steps.

Method claims 5-9 are rejected for the same reason as apparatus claims 14-17 since the recited apparatus would perform the claimed steps.

2. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridger et al. (6,272,209 hereinafter Bridger) in view of Allport (6,480,578).

Regarding claims 10, 14, 18 and 22. Bridger teaches an apparatus for determining the operational status of an integrated services hub supporting a plurality of telephone lines (Title, abstract), comprising:

a plurality of subscriber line interface circuits (SLIC), the number of SLICs equaling the number of telephone lines ... (col. 1 lines 5-67, columns 2-10, see subscriber line interface circuits in figures 3-5);

at least one subscriber line access circuit connected to the SLICs to detect an off-hook condition in the telephone line (col. 2 lines 40-67, col. 3 lines 1-3, col. 3 lines 60-62, col. 5 lines 41-43, col. 7 lines 1-10);

a power monitor for monitoring the status of AC power to the integrated services hub (see "LIFELINE" in the Title, abstract, col. 3 lines 60-63, col. 5 lines 41-43, col. 6 lines 4-67, col. 7 lines 26-28, lines 39-41, col. 8 lines 4-6, lines 26-31);

a telephony controller, the telephony controller receiving notification form the power monitor regarding the AC power status (see "LIFELINE" in the Title, abstract, col. 3 lines 60-63, col. 5 lines 41-43, col. 6 lines 4-67, col. 7 lines 26-28, lines 39-41, col. 8 lines 4-6, lines 26-31), the telephony controller receiving notification from the SLAC on an off-hook condition (col. 3 lines 60-63, col. 5 lines 41-45, col. 6 lines 29-31, columns 7-10).

Bridger does not explicitly show status of a customer premises and the telephony controller activating a warning signal that the AC power has failed.

Allport teaches a telecommunication system that notifies user of AC power failure (abstract, col. 10 lines 21-23, see Alarm Buzzer and Text to be displayed for A/C power interrupted column 11) by sending user signal from telephone company (columns 13-14). Allport discloses while the device is described as a stand-alone device, it could also be incorporated into other devices including standard telephone, answering machine, caller id device and the like (col. 15 lines 1-15) wherein telephony devices can be analog or digital operating with all forms of telephone carriers, including POTS, ISDN, coaxial, etc.

Therefore, it would have been obvious to any one of ordinary skill in the art at the time the invention was made to modify the invention of Bridger to alert user as taught by Allport for the benefit of notifying user that AC power has been interrupted.

Regarding claims 11-12, 19-20 and 23-24. Bridger does not explicitly show wherein the warning signal is audible.

Allport teaches a telecommunication system that notifies user of AC power failure (abstract, col. 10 lines 21-23, see Alarm Buzzer and Text to be displayed for A/C power interrupted column 11) by sending user signal from telephone company (columns 13-14). Allport discloses while the device is described as a stand-alone device, it could also be incorporated into other devices including standard telephone, answering machine, caller id device and the like (col. 15 lines 1-15) wherein telephony devices can be analog or digital operating with all forms of telephone carriers, including POTS, ISDN, coaxial, etc.

Therefore, it would have been obvious to any one of ordinary skill in the art at the time the invention was made to modify the invention of Bridger to alert user as taught by Allport for the benefit of notifying user that AC power has been interrupted.

Regarding claims 13, 21 and 25. Bridger teaches wherein the telephony controller and the power monitor are software components (see first line of abstract, columns 1-10). Allport also uses software routines to detect AC power interruption has occurred.

Regarding claims 15-16. Bridger does not explicitly show wherein the warning signal is audible.

Allport teaches a telecommunication system that notifies user of AC power failure (abstract, col. 10 lines 21-23, see Alarm Buzzer and Text to be displayed for A/C power interrupted column 11) by sending user signal from telephone company (columns 13-14). Allport discloses while the device is described as a stand-alone device, it could also be incorporated into other devices including standard telephone, answering machine, caller id device and the like (col. 15 lines 1-15) wherein telephony devices can be analog or digital operating with all forms of telephone carriers, including POTS, ISDN, coaxial, etc.

Therefore, it would have been obvious to any one of ordinary skill in the art at the time the invention was made to modify the invention of Bridger to alert user as taught by Allport for the benefit of notifying user that AC power has been interrupted.

Regarding claim 17. Bridger teaches wherein the telephony controller and the power monitor are software components (see first line of abstract, columns 1-10). Allport also uses software routines to detect AC power interruption has occurred.

Method claims 1-4 are rejected for the same reasons as apparatus claims 10-13 since the recited apparatus would perform the claimed steps.

Method claims 5-9 are rejected for the same reason as apparatus claims 14-17 since the recited apparatus would perform the claimed steps.

Response to Arguments

3. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.

CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600